

and submit that in view of the following remarks and the appended terminal disclaimer, it is clear that claims 1 through 54 are free of the art and that the application is otherwise in condition for allowance.

Claim 1 is the only independent claim remaining in the application for consideration. Regarding the rejection of claim 1 as being unpatentable over DE 38 11 477 in view of Brazier, the examiner appears to agree that the concept of creating an ultra-lean fuel mixture is not shown in DE 38 11 477. To remedy this shortcoming of DE 38 11 477, the examiner argues that Brazier discloses the concept of operating under “sub-stoichiometric” conditions (see col. 3, ll. 47-49 of the Brazier reference) and that to those skilled in the art, the terminology “sub-stoichiometric” would be understood as including either excessive fuel or excessive air. With only this for support, the examiner then concludes that the concept of creating an “ultra fuel lean mixed stream of air and fuel”, as recited in claim 1, would have been obvious.

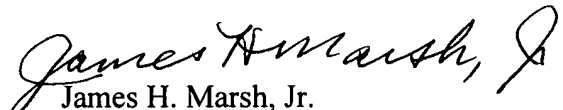
Applicants do not agree with the examiner’s contentions regarding how one skilled in the art would understand and interpret the terminology “sub-stoichiometric,” and it is pointed out in this regard that the examiner cites no reference which supports such contention. Moreover, applicants submit that the examiner’s conclusions regarding obviousness are not supported by the record since the only venturi disclosed by Brazier is used to induce a flow of RFG with air (in claim 1 fuel gas is used to induce a flow of air), and in any event, since Brazier discloses the entire panoply of stoichiometric conditions, there is no way that it suggests to one skilled in the art the specific desirability for creating and using an “ultra fuel lean mixed stream of air and fuel.” Likewise, as admitted by the examiner, DE 38 11 477 does not suggest to one skilled in the art the specific desirability for creating and using an “ultra fuel lean mixed stream

of air and fuel.” Accordingly, it is submitted that claim 1 is clearly patentable over DE 38 11 477 and Brazier, whether these references are considered alone or together. Furthermore, since claim 1 is patentable over the DE 38 11 477/Brazier combination of references, claims 2 through 54, which depend directly or indirectly from claim 1 are also patentable.

Applicants have not specifically discussed the rejections based on the Seitz and Zink references since this rejection applies to dependent claims which necessarily are patentable if claim 1 is patentable.

In view of the foregoing remarks, and further in view of the terminal disclaimer submitted herewith, it is submitted that claims 1 through 54 are patentable over the cited references and in condition for allowance. Accordingly, favorable action at an early date will be appreciated. If the examiner is of the view that any issue remains unresolved, it is respectfully suggested that applicants’ undersigned attorney may be contacted at the telephone number set forth below.

Respectfully submitted,


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